

WARRICK COUNTY COMMISSIONERS
RESOLUTION NO. 2007 - 06

**A RESOLUTION DECLARING AN EMERGENCY AND AUTHORIZING THE
EXPENDITURE OF CUMULATIVE CAPITAL DEVELOPMENT FUNDS
FOR NON-BRIDGE PURPOSES**

WHEREAS, Warrick County Commissioners' Ordinance No. 1993-11 was passed on June 28, 1993, to enact and/or extend a Cumulative Capital Development Fund; and

WHEREAS, a significant surplus is projected to exist in the Cumulative Capital Development (CCD) Fund by the end of calendar year 2007; and

WHEREAS, the public health, welfare and safety is in immediate danger that requires the expenditure of money in the CCD fund; and

WHEREAS, the public health, welfare or safety is in immediate danger for the following reasons:

1. The roof of the Warrick County Jail is leaking and in need of replacement. The leakage creates a condition in which harmful black mold could develop, which would endanger the health of the employees, inmates, and visitors to the Warrick County Jail. In addition, the County's welfare is in danger should an inmate, or inmates, file a lawsuit claiming their constitutional rights are being denied due to an inadequate facility. This could create a liability exposure and potential expenditure of county funds in defending any lawsuit or lawsuits that may be filed as a result of the leaking roof;
2. The roof of the EMS Main Headquarters (old county jail on South 4TH Street in Boonville) is leaking and in need of replacement. The leakage creates a condition in which harmful black mold could develop, which would endanger the health of the EMS employees and visitors to the facility. Though not as likely as in #1, the potential exists for a lawsuit or lawsuits being filed against the County due to the leaking roof;
3. The roof of the EMS Main Headquarters garage is leaking and in need of replacement. The County's welfare is in immediate danger due to the fact that EMS ambulances are parked in this facility when on standby status. In addition to faster depreciation to the ambulances as a result of the leaking roof, potential exists for contamination of onboard medical supplies and for damage to and/or contamination of onboard medical equipment. Contamination of onboard medical supplies and damage to and/or contamination of onboard medical equipment could lead to medical malpractice lawsuit or lawsuits as a result of the EMS Program/Personnel treating patient or patients with the referenced medical supplies and/or medical equipment. It is highly likely that Warrick County would be named in any lawsuit as a result of actions by its EMS Program, which could involve large expenditures of County funds to defend said lawsuit(s);
4. The EMS Station at Gardner Road and Fuquay Road cannot accommodate the new, larger ambulances. A new overhead door must be installed in order to store the new ambulance(s) inside. The ambulance(s) is/are currently parked outside. In order to properly maintain the medical supplies and medical equipment stored in the ambulance(s), inside parking in times of extreme temperatures is absolutely necessary. The liability exposure to the County is the same as covered in #3;

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5. The upgrade of the lift station, located on approximately 70 County-owned acres east of Boonville, Indiana (north of SR 62; west of Roth Road; south of Degonia Road), is necessary to eliminate the illegal discharge of wastewater into the waters of the State of Indiana. The current lift station is inadequate to handle the wastewater generated by the Jail, Harbor House, Highway Department, and Dog Pound. The lift station periodically overflows and the County must have the tank professionally vacuumed. In order to properly dispose of the wastewater, and avoid a potential Agreed Order from the Indiana Department of Environmental Management (IDEM), and the large daily fines that could accompany any violation, the lift station must be upgraded. In addition, it is proposed that the wastewater generated by the new Senior Citizens Center of the Warrick County Council on Aging, the Warrick County 4-H Center, and the proposed Parks Department Girls' Softball Complex, all be added to the upgraded lift station. Proper disposal of wastewater is essential to maintain the health, safety, and welfare of every person and visitor to the referenced facilities;
6. New overhead doors should be installed in the Sally Port at the Warrick County Jail. To provide for the highest level of security at the jail for the health, safety, and welfare of the public, law enforcement officers, jail employees, jail visitors, and inmates, it is imperative that properly installed and functioning Sally Port doors be in place.
7. Maintenance/Repair/Replacement, as needed, of all HVAC systems in buildings owned by Warrick County. It is essential, for the health, safety, and welfare of employees and other citizens, that HVAC systems be properly installed, repaired, replaced, and maintained; and

WHEREAS, the Commissioners have determined that an expenditure of one million five hundred seventy eight thousand nine hundred dollars (\$1,578,900.00) in CCD funds is needed to address the above-described emergency situations which demand immediate action.

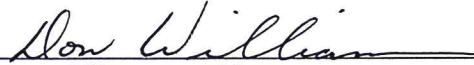
IT IS THEREFORE RESOLVED, BY THE BOARD OF COMMISSIONERS OF WARRICK COUNTY, INDIANA, AS FOLLOWS:

That \$1,578,900.00 should be expended from the CCD fund to address the emergency situations described above and to protect the public health, welfare and safety which is in immediate danger as a result of the above-described emergencies.

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IT IS SO RESOLVED.

WARRICK COUNTY BOARD OF COMMISSIONERS



Don Williams, President



Phillip H. Baxter, Vice President

Carl Jay Conner, Member

Date: 6-20-07

ATTEST: 

Lawrence C. Lacer, Auditor